FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.473 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr Indrayani M Koparkar, for the petitioners.

Ms P.H.Kantharia, APP for the respondents.

CORAM : SMT.RANJANA DESAI & D.B.BHOSALE,JJ.

DATED : 23rd APRIL, 2007

P.C.:

We have heard the learned counsel for the petitioners and the learned A.P.P. for the respondents.

The petitioner's grievance is that he has not been given set off for the period of two years, that is, from 18.6.89 to 11.2.91. An affidavit has been filed by Vaibhav Pundalikrao Aram, Jailor, Group II, Yerawada Central Prison, Pune, Paragraphs 2 and 3 of the said affidavit read as under :

"2. I say that as regards to the convict/prisoner No.C-9124- Anthony Joseph

Gedam is concerned, he has as on 11.3.2007 undergone actual period of imprisonment of ten years 3 months and 17 days and the total period undergone by him is 17 years 4 months and 28 days. He has already been given set off for a period of 18.6.1989 to 11.2.1991,i.e. 1 year 7 months and 24 days. Hereto annexed and marked as Exhibit "A" is the copy of calculations submitted by the Superintendent of Yerwada Central Prison, Pune.

3. I say that as regards to the convict/prisoner no.C-9125 -Albert Brown @ Nair Fernandes he has completed actual period undergone upto 11.3.2007 10 years 3 months and 17 days and the total period undergone by him is 17 years 4 months and 28 days. He has already been given set off period from 18.6.1989 to 11.2.1991, i.e. 1 year 7 months and 24 days. Hereto annexed and marked as Exhibit "B" is the copy of calculations submitted by the Superintendent of Yerwada Central Prison, Mumbai."

In view of the above, no order is necessary on this petition. The petition is dismissed.

(D.B.BHOSALE,J.) (SMT.RANJANA DESAI,J.)